

REMARKS

Claims 37-62 are pending in this application. Claims 1-21, 35 and 36 were previously cancelled. Claims 22-34 were previously withdrawn. Claims 39-62 were previously added. Claims 37 and 38 are currently amended.

Claim Rejections Over Roseman - 35 U.S.C. § 102

Claims 37 and 38 were rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 6,012,984 to Roseman ("Roseman"). The Office Action alleges that Roseman discloses the invention. The Applicant respectfully disagrees on the basis that significant claim features and limitations are missing from Roseman.

The present invention can be distinguished from Roseman by the fact that claims 37 and 38 utilize *a gaming machine* to provide random game outcomes to a gaming server. Claim 37 states ". . . said outcome data being generated by the gaming machine at said gaming establishment . . ." Claim 38 states ". . . generating outcome data at a gaming machine communicatively coupled to said gaming server . . ."

Roseman, in contrast, does not use a gaming machine, only a gaming server, to determine the random game outcome. Roseman states that ". . . the game server can be an extensible game engine for allowing the game server to service a plurality of different types of games, such as bingo, . . . as well as provide a plurality of different difficulty levels, themes or other variations in a particular game." (Roseman, column 3, lines 21-26.) Roseman further states that "FIG. 1 depicts a system 10 that comprises a computer network system for providing large arena gaming." (Roseman, column 4, lines 21-22.) By inspection, Roseman's FIG. 1 depicts that the

described large arena gaming system has no gaming machine. *Roseman is silent with respect to using a gaming machine to determine game outcomes.*

Consequently, Roseman is missing a fundamental limitation included in independent claims 37 and 38, i.e., *a gaming machine to determine game outcomes.*

Claim Rejections Over Wiltshire - 35 U.S.C. § 102

Claims 39-46, 48, 50-56, 58-60 and 62 were rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 6,409,602 to Wiltshire ("Wiltshire").

The cited claims can be distinguished from Wiltshire since the claims require *a gaming machine* to provide a random game outcome to the gaming server. Independent claims 39, 52 and 62 (and all their dependent claims 40-46, 48, 50, 51, 53-56 and 58-60) use a gaming machine to determine a random game outcome. Independent claim 39 requires "... a gaming server for collecting outcome data from gaming machines located inside the gaming establishment ...". Independent claim 52 requires receiving "... a text or graphical outcome resulting from a local play of each said selected local gaming machine ...". Dependent claim 62 requires "... means for receiving a text or graphical outcome resulting from a play of said selected local gaming machines ...".

In contrast, Wiltshire does not use a gaming machine to determine game outcomes. Wiltshire states that "... the gaming programs and the associated gaming display generation programs are executed entirely on the server/host computer, with only input wagering and output screen display related operations being executed on the client/terminal computers ...". (Wiltshire, column 2, lines 45-49.) Wiltshire further states that "[a] computer gaming system 100, in accordance to one embodiment of the invention, is shown in FIG. 1A." (Wiltshire,

column 3, lines 61-62.) Inspection of Wiltshire's FIG. 1A shows no gaming machine. *Wiltshire is silent with respect to using a gaming machine to determine game outcomes.*

Consequently, Wiltshire is missing a fundamental limitation included in independent claims 39, 52 and 62 (and all their associated dependent claims), i.e., *a gaming machine to determine game outcomes.*

Claim Rejections Over Wiltshire In View Of Walker - 35 U.S.C. § 103

Claims 47, 49, 57 and 61 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Wiltshire in view of U.S. Patent No. 6,361,437 to Walker ("Walker"). The Office Action alleges that Wiltshire discloses the claimed invention except for "... the outcome data including receiving player preferences as recited in claims 47 and 57; a player identifier and transmitting the player identifier for identification of the player as recited in claims 49 and 61." The Applicant believes, for the following reasons, that the present invention is novel and nonobvious over Wiltshire in view of Walker.

The Proposed Modification Cannot Change The Principle Of Operation Of The Reference

Wiltshire's principle objective is to "drastically reduce the cost of gaming stations." (Wiltshire, Abstract.) Wiltshire emphasizes the point in the summary of the invention stating, "[t]he present invention provides a computer gaming system and method of operation thereof that both drastically reduces the cost and substantially increases the tamper resistance of individual gaming stations." (Wiltshire, column 2, lines 22-25.)

To accomplish this objective, Wiltshire's operating principle is for the gaming programs to be "executed entirely on the server/host computer." (Wiltshire, Abstract.) Wiltshire further states that "[t]his functionality is implemented by executing various gaming and related game

management programs exclusively on a server/host computer . . .” (Wiltshire, column 2, lines 35-37.) Wiltshire summarizes, stating, “[s]ince the gaming programs and the associated gaming display generation programs are executed entirely on the server/host computer . . . the cost of the hardware and software required for each client/terminal computer is greatly reduced.” (Wiltshire, column 2, lines 45-51.)

Any suggestion to modify Wiltshire’s central server/host computer with the addition of gaming machines to determine game outcome completely changes Wiltshire’s principle of operation. Such a suggestion destroys Wiltshire’s operating principle of centralizing the execution of game programs on a single central computer. The proposed modification of adding gaming machines increases the cost of the gaming system. This is directly counter to Wiltshire’s expressed desire to reduce costs with one centralized central computer. In addition, adding gaming machines increases the potential for tampering with the gaming machines themselves. This, too, is directly counter to Wiltshire’s expressed desire to increase security with one centralized central computer. In fact, Wiltshire’s entire design principle centers on the elimination of gaming machines. Consequently, this proposed modification changes *Wiltshire’s principle of operation by executing gaming programs on a gaming machine rather than on the central server/host computer as taught by Wiltshire.*

The Wiltshire Reference Teaches Away

Not only does the proposed modification change the principle of operation of the Wiltshire reference, it also teaches away from Wiltshire. Wiltshire teaches executing the gaming programs on a central host/server computer to reduce costs and to increase security. To accomplish these objectives, Wiltshire requires that “. . . the gaming programs are executed

entirely on a server/host computer . . .” (Wiltshire, Abstract.) The suggested modification requires the addition of gaming machines in communication with a central computer to determine game outcomes. *This teaches away from Wiltshire’s express objective of eliminating gaming machines to decrease system costs and increase system security.* Consequently, Wiltshire’s invention teaches away from the use of gaming machines to execute and determine game outcomes.


Conclusion

For all the reasons listed and described above, the Applicant believes that the claims are novel and nonobvious over the prior art. The Applicant further believes the claims are in condition for allowance, and action towards that end is earnestly solicited.

If any matters may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact the Applicant’s undersigned attorney at the number shown.

Respectfully submitted,

Date: August 28, 2003



Michael L. White
Reg. No. 39,421
(773) 961-1267
Attorney for Applicant